

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>CHARLIE MCCLAIN, JR.</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	<b>No. 09-3213</b>
	:	
<b>THE BANK OF NEW YORK, <i>et. al.</i></b>	:	

**ORDER**

**AND NOW**, this 18th day of August, 2010, upon consideration of the Motion of Defendants Sovereign Bank, John B. Killen, and Joseph Flynn, for Summary Judgment Pursuant to Federal Rules of Civil Procedure 56 (Document No. 31), and the Orders of December 30, 2009 (Document No. 19) and of January 27, 2010 (Document No. 22), it is **ORDERED** that this action is **DISMISSED**.

/Timothy J. Savage  
TIMOTHY J. SAVAGE, J.